

**REGULAR SESSION**  
**(June 9, 2020)**

**Tuesday**

**2:30 PM**

The regular session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York; however closed to the public due to the COVID-19 pandemic. In accordance with Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, members of the public were invited to observe the meeting via BOS YouTube Channel through the following link: <http://www.wyomingco.net/149/Board-of-Supervisors>.

Some members of the Board of Supervisors participated in person and others via Zoom Conference Call with all members present except Supervisor Leuer, T/Middlebury. Also present were County Attorney Jim Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:35 PM Chairman Davis, T/Covington, called the meeting to order.

- *Sheriff Rudolph lead the pledge of allegiance which was said by all.*

**OPENING PRAYER ~**

- *Rev. Daryn Duff, Rock Glen Baptist Church via Call-In*

**CORRESPONDENCE ~**

- *None*

#1

**RESOLUTION NO. 20-251**  
**(June 9, 2020)**

By Mr. Berwanger, Chairman of the Agriculture Committee:

**DAIRY MONTH PROCLAIMED**

**WHEREAS**, The month of June as Dairy Month started out as National Milk Month in 1937 as a way to promote drinking milk. It was initially created to stabilize the dairy demand when production was at a surplus, but has now developed into an annual tradition that celebrates the contributions the dairy industry has made to the world; and

**WHEREAS**, Dairy Month is a great way to start the summer with nutrient-rich dairy foods. From calcium to potassium, dairy products like milk contain nine essential nutrients which may help to better manage your weight, reduce your risk for high blood pressure, osteoporosis and certain cancers; and

**WHEREAS**, Whether it is protein to help build and repair muscle tissue of active bodies or Vitamin A to help maintain healthy skin, dairy products are a natural nutrient powerhouse; and

**WHEREAS**, Wyoming County is the leading milk producing county in New York State in terms of total milk production and cow numbers; and

**WHEREAS**, The average dairy farm in New York State is family owned and consists of 135 cows. Wyoming County farms produce an average of 23,936 pounds (or 2,783 gallons) of milk per cow per year, with a total Wyoming County milk production of 1.1 billion pounds (or 131.3 million gallons) with 47,200 milk cows; and

**WHEREAS**, The top three leading dairy counties in New York State are Wyoming, Cayuga and St. Lawrence; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby proclaim June 2020 to be **DAIRY MONTH IN WYOMING COUNTY** to honor our dairy farmers and the safe, wholesome products that they produce and encourage all our citizens to drink milk and enjoy other dairy foods to help strengthen our economy.

**Carried: XXX    Ayes: 1537    Noes:    Absent: 62 (Middlebury)    Abstain:**

*Supervisor Berwanger, T/Arcade read the proclamation.*

#### **WYOMING COUNTY DAIRY PRINCESS ~**

- *Danielle Herrick via Call-In*
  - *Princess Herrick expressed her appreciation for the Board recognizing the hard work of dairy farmers with the passing of the proclamation.*

*Supervisor Berwanger provided the history of the Voice of Democracy contest that is sponsored by the VFW. He acknowledged and congratulated Ms. Herrick as the winner and asked her to share her award-winning essay, entitled "What Makes America Great".*

#### **VOICE OF DEMOCRACY PRESENTATION ~**

- *Danielle Herrick via Call-In*

*Supervisor Berwanger stated that Ms. Herrick is a resident in the Town of Eagle and Supervisor Roche, T/Eagle also offered that she is Valedictorian of her graduating class at Pioneer Central School this year.*

*Supervisor Berwanger, T/Arcade provided his reasoning for voting no in committee for this appropriation.*

**Non-Consent  
#2**

**RESOLUTION NO. 20-252  
(June 9, 2020)**

By Mr. Kehl, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2020 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2020 accounts as follows:

<b>Treasurer</b>			
<b>To:</b> 01.33.1325.4.40301 Professional Services <i>w/any funds available</i> <b>Reason:</b> To cover Three-Plus-One financial services contract approved by Res. #20-094.	\$15,000.00	\$15,000.00	
<b>Treasurer Total</b>			<b>\$15,000.00</b>

**Carried: XXX Ayes: 1365 Noes: 172 (Arcade) Absent: 62 (Middlebury) Abstain: #3**

**RESOLUTION NO. 20-253  
(June 9, 2020)**

By Mr. Kehl, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2020 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2020 accounts as follows:

<b>Board of Elections</b>			
<b>To:</b> 01.34.1450.4.42481 CARES Act Grant 01.34.1450.2.20201 Capital Equipment w/01.12.1450.42481 Federal Aid Cares Grant <b>Reason:</b> Appropriate grant funds.	\$25,560.92 22,000.00	\$47,560.92	
<b>Board of Elections Total</b>			<b>\$47,560.92</b>

**Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:**

Ms. Brunner, T/Java, Chairman of the Audit Committee, presented the approved payment of bills totaling **\$2,246,735.62** for the month of **May 2020**. No further action is required.

*There was a motion by Mrs. King, T/Pike, to combine resolutions #4 and #5. Hearing no objection resolution titles only were read.*

**#4**

**RESOLUTION NO. 20-254  
(June 9, 2020)**

By Mrs. King, Chairman of the Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE**

**AWARD WITH NEW YORK STATE BOARD OF ELECTIONS ON BEHALF OF WYOMING COUNTY BOARD OF ELECTIONS**

**BE IT RESOLVED**, That the Chairman of this Board and with the approval of the County Attorney, is hereby authorized and directed to sign a grant application and acceptance award with *New York State Board of Elections*, 40 North Pearl Street, Suite 5, Albany, NY 12207 on behalf of Wyoming County Board of Elections. Said grant funding is for the reimbursement of costs related to conducting federal elections amid COVID-19 pandemic in a minimum amount of forty-seven thousand five hundred sixty dollars and ninety-two cents (\$47,560.92); effective March 28, 2020 through December 31, 2020.

**Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:**

**#5**

**RESOLUTION NO. 20-255  
(June 9, 2020)**

By Mrs. King, Chairman of the Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE WARSAW PENNYSAVER/APPEARANCES ON BEHALF OF THE BOARD OF ELECTIONS**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the *Warsaw Penny Saver/Appearances*, 72 North Main Street, Warsaw, NY 14569 on behalf of the Board of Elections. Said contract is for the processing and mailing of absentee ballot applications to all registered voters in Wyoming County in an amount not to exceed eight thousand two hundred fifty-one dollars and three cents (\$8,251.03); effective May 3, 2020 through completion.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:**

***Non-Consent*  
#6**

**RESOLUTION NO. 20-256  
(June 9, 2020)**

By Mrs. King, Chairman of the Human Resource Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH DOMINION VOTING SYSTEMS CORP ON BEHALF OF THE BOARD OF ELECTIONS**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to

award bid and sign a contract with *Dominion Voting Systems Corp.*, 215 Spadina Avenue, Suite 200, Toronto, ON M5T2C7 on behalf of the Board of Elections. Said contract is for the purchase of two (2) ICE Voting Machines in an amount not to exceed twenty-one thousand eight hundred dollars (\$21,800.00); effective May 12, 2020 through delivery of equipment. (*State Contract #PC66393*)

Contingent upon the availability of funds.

**Carried: XXX    Ayes: 1537    Noes:    Absent: 62 (Middlebury)    Abstain:** #7

**RESOLUTION NO. 20-257  
(June 9, 2020)**

By Ms. Grant, Chairman of the Human Service Committee:

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN A WELFARE MANAGEMENT SYSTEM CONTRACT WITH COMMUNITY MISSIONS OF THE NIAGARA FRONTIER, INC. ON BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES**

**BE IT RESOLVED**, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a welfare management system contract with *Community Missions of the Niagara Frontier, Inc.*, 1570 Buffalo Avenue, PO Box 1013, Niagara Falls, NY 14302 on behalf of the Department of Social Services. Said contract to provide residential and support services for children diagnosed as severely emotionally disturbed (SED) in an amount not to exceed fourteen thousand five hundred dollars (\$14,500.00); effective May 1, 2020 through December 31, 2020.

Contingent upon the availability of funds.

**Carried: XXX    Ayes: 1537    Noes:    Absent: 62 (Middlebury)    Abstain:**

*There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #8 and #9. Hearing no objection resolution titles only were read.*

#8

**RESOLUTION NO. 20-258  
(June 9, 2020)**

By Mrs. Ryan, Chairman of the Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK STATE DEPARTMENT OF HEALTH / HEALTH RESEARCH, INC. ON BEHALF OF THE COUNTY HEALTH DEPARTMENT**

**BE IT RESOLVED**, That the Chairman of this Board and with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with the *New York State Department of Health/Health Research, Inc.*, 150 Broadway, Suite 516, Riverview Center, Menand, NY 12204 on behalf of the County Health Department. Said grant funding is for the Public Health Emergency Preparedness Program in a minimum amount of forty-nine thousand six hundred twenty-five dollars (\$49,625.00); effective July 1, 2020 through June 30, 2021.

**Carried:** XXX    **Ayes:** 1537    **Noes:**    **Absent:** 62 (Middlebury)    **Abstain:**    #9

**RESOLUTION NO. 20-259  
(June 9, 2020)**

By Mrs. Ryan, Chairman of the Public Health Committee:

**RESOLUTION NUMBER 20-026 AMENDED**

**WHEREAS**, Resolution Number 20-026 entitled, “**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN VARIOUS CONTRACTS AND AGREEMENTS ON BEHALF OF THE COUNTY HEALTH DEPARTMENT FOR THE YEAR 2020,**” passed by this Board of Supervisors on January 14, 2020 and provides, in part, for the following contract:

<i>Susan Schell, RD</i>	\$48.00/Hour
Registered Dietician Services	Based on Volume
January 1, 2002 through December 31, 2020	Not to exceed amount budgeted

Now therefore,

**BE IT RESOLVED**, That *Resolution Number 20-026* be hereby amended to amend the contract end date to *April 30, 3030*.

**Carried:** XXX    **Ayes:** 1537    **Noes:**    **Absent:** 62 (Middlebury)    **Abstain:**    #10

**RESOLUTION NO. 20-260  
(June 9, 2020)**

By Mrs. Ryan, Vice-Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A SUBLEASE AGREEMENT WITH CORNELL UNIVERSITY ~ QUALITY MILK PRODUCTION SERVICES ON BEHALF OF THE WYOMING COUNTY AG AND BUSINESS CENTER**

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a Sublease Agreement with *Cornell University, Quality Milk Production Services*, c/o Real Estate Department, Box DH-Real Estate,

Ithaca, NY 14850 on behalf of the Wyoming County Ag and Business Center. Said sublease is for the lease of 1,935 sq. ft. of office space located at the Ag and Business Center, 36 Center Street, Warsaw, NY 14569 as follows:

- ***Effective December 01, 2020 through December 31, 2020***
  - \$10.96 per square foot (\$1,767.30 per month) for an annual rent of \$21,207.60 plus a proportionate share of the utilities as outlined in the sublease agreement.
- ***Effective January 01, 2021 through December 31, 2022***
  - \$11.44 per square foot (\$1,844.70 per month) for an annual rent of \$22,136.40 plus \$3.60 per square foot (\$580.50 per month / \$6,966.00 per year) for utilities, cleaning service, garbage disposal and internet expense.
- ***Effective January 01, 2023 through December 31, 2024***
  - 2% increase over 2021/2022
  - \$11.67 per square foot (\$1,881.59 per month) for an annual rent of \$22,579.13 plus \$3.67 per square foot (\$592.11 per month / \$7,105.32 per year) for utilities, cleaning service, garbage disposal and internet expense.
- ***Effective January 01, 2025 through December 31, 2026***
  - 2% increase over 2023/2024
  - \$11.90 per square foot (\$1,919.23 per month) for an annual rent of \$23,030.71 plus \$3.75 per square foot (\$603.95 per month / \$7,247.43 per year) for utilities, cleaning service, garbage disposal and internet expense.
- ***Effective January 01, 2027 through December 31, 2027***
  - 2% increase over 2025/2026
  - \$12.14 per square foot (\$1,957.61 per month) for an annual rent of \$23,491.32 plus \$3.82 per square foot (\$616.03 per month / \$7,392.37 per year) for utilities, cleaning service, garbage disposal and internet expense.

**Carried: XXX    Ayes: 1537    Noes:    Absent: 62 (Middlebury)    Abstain:**

*There was a motion by Mr. Brick, T/Perry, to combine resolutions #11 through #16. Hearing no objection resolution titles only were read.*

**#11**

**RESOLUTION NO. 20-261  
(June 9, 2020)**

By Mr. Brick, Chairman of the Public Works Committee:

**AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST  
INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI"**

**PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID  
PROJECT AND APPROPRIATING FUNDS THEREFORE**

**WHEREAS,** A Project for the *Preventative Maintenance on 9 bridges in Wyoming County, in various Towns, Wyoming County, P.I.N. 4WY0.01; BINS: 3319440, 3321620, 3320100, 3320130, 3320200, 3320330, 3320250, 3369540 and 3369830* (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

**WHEREAS,** The County of Wyoming desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of *PE/Design, ROW and Construction*.

**NOW, THEREFORE,** The Board of Supervisors, duly convened does hereby

**RESOLVE,** That the Board of Supervisors hereby approves the above-subject project; and be it

**FURTHER RESOLVED,** That the Board of Supervisors hereby authorizes the Chairman to pay in the first instance 100% of the federal and non-federal share of the cost of construction work for the Project or portions thereof; and be it

**FURTHER RESOLVED,** That the sum of **\$936,979.00** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and be it

**FURTHER RESOLVED,** That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it

**FURTHER RESOLVED,** That the Chairman of the Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it

**FURTHER RESOLVED,** That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it

**FURTHER RESOLVED,** That this Resolution shall take effect immediately; and be it

**FURTHER RESOLVED**, That this resolution incorporates Resolution Numbers 18-077, 18-337 and 19-147 approved February 13, 2018, August 14, 2018 and March 12, 2019 respectively.

**Carried: XXX    Ayes: 1537    Noes:    Absent: 62 (Middlebury)    Abstain:**  
#12

**RESOLUTION NO. 20-262  
(June 9, 2020)**

By Mr. Brick, Chairman of the Public Works Committee:

**RESOLUTION NUMBER 18-553 AMENDED**

**WHEREAS**, Resolution Number 18-553 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF COUNTY HIGHWAY,**” passed by this Board of Supervisors on December 11, 2018 and provides, in part, for the following contract:

- **Cross Carcass Removal**, 4758 Castle Garden, Friendship, NY 14739 for deer removal and disposal in an amount not to exceed one hundred dollars (\$100.00) per deer; effective January 1, 2019 through December 31, 2019 with the option of two (2) 1-year extensions.

And,

**WHEREAS**, That Resolution Number 18-553 was previously amended by this Board of Supervisors on April 9, 2019 by **Resolution Number 19-198** to reflect a name change from Cross Carcass Removal to **Southern-Tier Whitetail Removal** with a mailing address of P.O. Box 264, Friendship, NY 14739; now therefore,

**BE IT RESOLVED**, That **Resolution Number 18-553** as previously amended by this **Resolution Number 19-198** be hereby further amended as follows:

- To exercise the first of two (2) one-year extensions at a rate of one hundred and one dollars (\$101.00) per deer; effective January 1, 2020 through December 31, 2020.

All else remains the same.

**Carried: XXX    Ayes: 1537    Noes:    Absent: 62 (Middlebury)    Abstain:**  
#13

**RESOLUTION NO. 20-263  
(June 9, 2020)**

By Mr. Brick, Chairman of the Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH  
GEORGE & SWEDE SALES AND SERVICES, INC. ON BEHALF OF  
COUNTY HIGHWAY**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal

Law §103 and with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with *George & Swede Sales and Services, Inc.*, 7155 Big Tree Road, Pavilion, NY 14525 on behalf of County Highway. Said contract is for a 2020 Hyundai HW140 Wheeled Excavator in an amount not to exceed one hundred seventy-five thousand dollars (\$175,000.00); effective May 13, 2020 through delivery of equipment. (*Sourcewell Contract #032119-HCE*)

Contingent upon the availability of funds.

**Carried: XXX    Ayes: 1537    Noes:    Absent: 62 (Middlebury)    Abstain:    #14**

**RESOLUTION NO. 20-264  
(June 9, 2020)**

By Mr. Brick, Chairman of the Public Works Committee:

**RIGHT OF WAYS FOR SCHOELLKOPF ROAD BRIDGE APPROVED**

**WHEREAS**, That the real property below located in the Town of Bennington Wyoming County, New York is needed to be acquired by the County of Wyoming for the replacement of Schoellkopf Road Bridge #06, BIN #3319610; PIN 4WY0.03 as described on maps on file in the Office of the Wyoming County Superintendent of Highways;

<b>Property Owner</b>	<b>Tax Map No.</b>	<b>Map No.</b>	<b>Parcel No.</b>	<b>Sq. Ft.</b>
<i>William R. and Evelyn Caffery</i> 664 Schoellkopf Rd Cowlesville, NY 14037	28.00-2-25	PE Map #1	Parcel #1	1,800±
Unknown Owner	N/A	PE Map #2	Parcel #1	3,491±
Unknown Owner	N/A	PE Map #2	Parcel #2	3,609±
<i>Jeffrey D. and Christine J. Phillips</i> 1253 Coyle Rd Cowlesville, NY 14037	28.00-2-33.1	PE Map #3	Parcel #1	5,121±
<i>Daniel A. and Kara A. Bennet</i> 665 Schoellkopf Rd Cowlesville, NY 14037	28.00-2-26.2	PE Map #4	Parcel #1	841±
<i>George Sielski</i> 771 W. Delevan Ave Buffalo, NY 14222	28.00-2-27	PE Map #5	Parcel #1	3,688±

**WHEREAS**, Said real property owners have agreed to graciously donate said real property so that said replacement may be completed; and

**WHEREAS**, It is necessary for the County to indemnify said property owners in connection with said replacement; now therefore

**BE IT RESOLVED**, That the County of Wyoming shall indemnify and hold harmless the property owners listed from any claim, charge, expense or liability arising from any action or

omission taken by the County in connection with exercising its rights under the Easements given to the County of Wyoming by the property owners; and be it

**FURTHER RESOLVED**, That the County of Wyoming is authorized to accept the donation of said real properties; and be it

**FURTHER RESOLVED**, That said conveyances to be completed upon the recording of an Easement from the real property owners to the County of Wyoming.

**Carried: XXX    Ayes: 1537    Noes:    Absent: 62 (Middlebury)    Abstain:    #15**

**RESOLUTION NO. 20-265  
(June 9, 2020)**

By Mr. Brick, Chairman of the Public Works Committee:

**PLACEMENT OF A COUNTY OWNED BRIDGE ON TOWN OWNED LAND**

**WHEREAS**, The County of Wyoming and the Town of Pike have agreed to relocate the bridge located on Schoellkopf Road in the Town of Bennington, Wyoming County, New York to the Town of Pike; now therefore,

**BE IT RESOLVED**, That the Chairman of the Board of Supervisors, with the approval of the County Attorney, is hereby authorized to execute all necessary Agreements in connection with said donation to the Town of Pike and relocation of the Bridge located on Schoellkopf Road in the Town of Bennington, Wyoming County, New York to the Wyoming County Fairgrounds in the Town of Pike, Wyoming County, New York.

**Carried: XXX    Ayes: 1537    Noes:    Absent: 62 (Middlebury)    Abstain:    #16**

**RESOLUTION NO. 20-266  
(June 9, 2020)**

By Mr. Brick, Chairman of the Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH ROBB'S GLASS, INC.  
ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Robb's Glass, Inc.*, 6000 State Route 20A, Warsaw, NY 14569 on behalf of Buildings and Grounds (Co. Bldgs.). Said contract is for the installation of sneeze guard protection barriers at various County buildings in an amount not to exceed five thousand nine hundred eighty-five dollars (\$5,985.00); effective May 6, 2020 through completion.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:**

*There was a motion by Mrs. May, T/Orangeville, to combine resolutions #17 through #20. Hearing no objection resolution titles only were read.*

**#17**

**RESOLUTION NO. 20-267  
(June 9, 2020)**

By Mrs. May, Chairman of the Public Safety Committee:

**RESOLUTION NUMBER 19-072 AMENDED**

**WHEREAS**, Resolution Number 19-072 entitled, **“CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LEXIS NEXIS, DIVISION OF RELX, INC. ON BEHALF OF THE DISTRICT ATTORNEY’S OFFICE,”** passed by this Board of Supervisors on February 12, 2019 and provides for online research in an amount not to exceed nine thousand nine hundred thirty-six dollars and forty-eight cents (\$9,936.48); effective March 1, 2019 through February 28, 2022; now therefore,

**BE IT RESOLVED**, That *Resolution Number 19-072* be hereby amended as follows:

- The addition of one (1) user license (from 3 to 4 users) for a new contract amount not to exceed twenty thousand one hundred fifty-four dollars and fifty-nine cents (\$20,154.59).
- Extend the contract end date through December 31, 2023 creating a calendar year contract with the following annual terms:

<b>Term</b>	<b>Cost</b>	<b>Number of Users</b>	<b>Status</b>
03/01/2019 – 02/29/2020	\$3,214.80	3 users – full year	Paid
03/01/2020 – 05/31/2020	\$827.79	3 users – partial year	Paid
06/01/2020 – 12/31/2020	\$2,576.00	4 users – end of calendar year	
01/01/2021 – 12/31/2021	\$4,464.00	4 users – full year	
01/01/2022 – 12/31/2022	\$4,512.00	4 users – full year	
01/01/2023 – 12/31/2023	\$4,560.00	4 users – full year	

All else remains the same.

**Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:**

**#18**

**RESOLUTION NO. 20-268  
(June 9, 2020)**

By Mrs. May, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH AUCTIONS INTERNATIONAL, INC. ON BEHALF OF THE SHERIFF'S DEPARTMENT**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Auction International, Inc.*, 11167 Big Tree Road, East Aurora, NY 14052 on behalf of the Sheriff's Department. Said contract is for providing the sale of government assets; effective June 1, 2020 through May 31, 2022.

Contingent upon the availability of funds.

**Carried: XXX    Ayes: 1537    Noes:    Absent: 62 (Middlebury)    Abstain:**

**#19**

**RESOLUTION NO. 20-269  
(June 9, 2020)**

By Mrs. May, Chairman of the Public Safety Committee:

**FIRE ADVISORY BOARD DELEGATES APPOINTED/REAPPOINTED**

**BE IT RESOLVED**, That the following named persons are hereby appointed/reappointed to the Wyoming County Fire Advisory Board in accordance with Section 225-a of the County Law for a term of one (1) year; effective *July 1, 2020 through June 30, 2021*:

<i>Arcade</i>	<i>Gregory Landis</i>	<i>782 Geer Rd., Arcade, NY 14009</i>
<i>Attica</i>	<i>Jay Myers</i>	<i>297 Main St., Attica, NY 14011</i>
<i>Bennington</i>	<i>Chester Zymowski, Jr</i>	<i>1931 Rt. 354, Attica, NY 14011</i>
<i>Bliss</i>	<i>Marc Roche</i>	<i>3438 Rt. 39, Bliss, NY 14024</i>
<i>Castile</i>	<i>William Dake</i>	<i>73 W. Park Rd., Castile, NY 14427</i>
<i>Cowlesville</i>	<i>Nicholas Szuniewicz</i>	<i>282 Clinton St., Cowlesville, NY 14037</i>
<i>Gainesville</i>	<i>Brian Hill</i>	<i>4341 E. Hillside Rd., Bliss, NY 14024</i>
<i>Harris Corners</i>	<i>Edward Mest</i>	<i>869 Centerline Rd., Strykersville, NY 14545</i>
<i>North Java</i>	<i>Joe Siler</i>	<i>1911 Rt. 78, Java Center, NY 14082</i>
<i>Perry</i>	<i>Paul Hinsken</i>	<i>PO Box 243, Perry, NY 14530</i>
<i>Perry Center</i>	<i>James Brick</i>	<i>7618 Rt. 20A, Perry, NY 14530</i>
<i>Pike</i>	<i>Nathan Lyke</i>	<i>34 Telegraph Rd., Bliss, NY 14024</i>
<i>Sheldon</i>	<i>Francis George</i>	<i>287 Sinn Rd., Cowlesville, NY 14037</i>
<i>Silver Springs</i>	<i>John Proper</i>	<i>80 Orchard St., PO Box 183, Silver Springs, NY 14550</i>
<i>Strykersville</i>	<i>Donald Simons</i>	<i>425 Factory Rd., Strykersville, NY 14145</i>
<i>Varysburg</i>	<i>James Kelly</i>	<i>2757 Buffalo Rd., Varysburg, NY 14167</i>
<i>Warsaw</i>	<i>Joseph Cummins</i>	<i>5400 Toolhouse Rd., Warsaw, NY 14569</i>
<i>Wyoming</i>	<i>Richard Crandall</i>	<i>897 N. Academy St., Wyoming, NY 14591</i>
<b>Members At-Large for Towns without Departments</b>		

Orangeville	Town Supervisor	Town of Orangeville
Covington	Town Supervisor	Town of Covington

**Carried: XXX    Ayes: 1537    Noes:    Absent: 62 (Middlebury)    Abstain: #20**

**RESOLUTION NO. 20-270  
(June 9, 2020)**

By Mrs. May, Chairman of the Public Safety Committee:

**WAIVER APPLICATION FOR WYOMING COUNTY FIRE AND BUILDING CODES  
BUILDING PERMIT FEE APPROVED**

**WHEREAS,** The County of Genesee is constructing a new Public Safety Radio Tower to provide radio coverage for police, fire and emergency medical service responders operating in Genesee and Wyoming Counties; and

**WHEREAS,** The tower will provide better radio system coverage for Genesee County unites operating within the Towns of Alexander, Bethany and Attica to communicate via patched radio systems with responders in Wyoming County; and

**WHEREAS,** The tower also allows Attica Police Department, Fire Department and Wyoming County Emergency Management radios equipped with the 800 MHzP25 system to communicate directly with Genesee County units while providing mutual aid to Genesee County with a long term plan to directly connect both counties systems to enable responders to use their current radio equipment to communicate across both networks without the need to carry multiple radios; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors’ Public Safety Committee hereby recommends waiving the building permit fee in the amount of one hundred fifty dollars (\$150.00) associated with the application submitted by Genesee County for the construction of said public safety radio tower at 268 Molasses Hill Road in the Town of Attica, Wyoming County, New York and owned by the County of Genesee and more particularly described by SBL #8.-1-25 and SBL #8.-1-27.

**Carried: XXX    Ayes: 1537    Noes:    Absent: 62 (Middlebury)    Abstain:**

*Supervisor May, T/Orangeville offered her support of the Wyoming County Sheriff’s Office during this current culture. She said as a 30 plus year member of that department, she does not recall any acts of violence by members of the Sheriff’s Dept. and stands in solidarity with the Board of Supervisors against any idea of defunding that department.*

*Chairman Davis said the entire board shares Supervisor May’s sentiments.*

*There was a motion by Mr. Kehl, T/Attica, to combine resolutions #21 through #29. Hearing no*

*objection resolution titles only were read.*

#21

**RESOLUTION NO. 20-271  
(June 9, 2020)**

By Mr. Kehl, Chairman of the Finance Committee:

**A RESOLUTION CALLING ON NEW YORK STATE TO RESTORE STATE  
RETIREMENT SERVICE CREDITS TO NEW YORK STATE COUNTY WORKERS  
WHO TEMPORARILY LOST THOSE SERVICE CREDITS DUE TO COVID-19  
TEMPORARY WORKFORCE REDUCTIONS**

**WHEREAS**, The World Health Organization declared a Public Health Emergency of International Concern on January 30, 2020 due to the COVID-19 coronavirus; and

**WHEREAS**, On January 31, 2020, United States Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the entire United States to aid the nation's healthcare community in responding to COVID-19 and the President of the United States of America proclaimed a national emergency concerning the outbreak of the Novel Coronavirus on March 13, 2020; and

**WHEREAS**, The Governor of the State of New York issued Executive Order 202 on March 7, 2020, as subsequently amended and extended from time to time, also declaring a disaster emergency in the state; and

**WHEREAS**, The anticipated economic downturn due to this pandemic is expected to burden local taxpayers for years to come; and

**WHEREAS**, The likelihood is strong that federal and state reimbursements and other external financial supports will be reduced as a result of an ensuing economic decline due to the COVID-19 pandemic; and

**WHEREAS**, Counties also expect to receive less sales tax and other local revenues required to balance respective budgets; and

**WHEREAS**, Some counties took the unprecedented step of instituting a temporary workforce reduction ("furlough") in order to save taxpayer dollars while, at the same time, utilizing provisions within the U.S. Coronavirus Aid, Relief, and Economic Security (CARES) Act to ensure that those employees are not financially harmed due to the COVID-19 pandemic; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors formally requests that the Governor of the State of New York, along with both houses of the New York State Legislature, propose and adopt legislation to restore any loss of state retirement service credits

by any municipal employee who was furloughed due to any COVID- 19 related temporary workforce reductions; and be it

**FURTHER RESOLVED**, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, Majority and Minority Leaders in the New York State Senate, Speaker and Minority Leader in the New York Assembly, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties, the Inter-County Association of Western New York and all others deemed necessary and proper.

**Carried: XXX    Ayes: 1537    Noes:    Absent: 62 (Middlebury)    Abstain:    #22**

**RESOLUTION NO. 20-272  
(June 9, 2020)**

By Mr. Kehl, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**

**BE IT RESOLVED**, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, **“AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL,”** the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- ***Barclay Water Management, Inc.***, 55 Chapel Street, Suite 400, Newton, MA 02458 for an iChlor remediation services agreement to install monitoring system that continually feeds monochloramine to facilities domestic water system to address Legionella concerns in an amount not to exceed ninety-four thousand five hundred dollars (\$94,500.00); effective July 1, 2020 through June 30, 2023.
- ***Barclay Water Management, Inc.***, 55 Chapel Street, Suite 400, Newton, MA 02458 for consolidation of all water treatment services that include regulatory testing, supply/delivery of chemicals, water test kits, reagents, and reports for the cooling tower, closed loop hot/chilled system, and boiler treatment systems for the hospital and SNF in an amount not to exceed seventy-eight thousand six hundred ninety-nine dollars (\$78,699.00); effective July 1, 2020 through June 30, 2023.
- ***Corticare, Inc.***, 5950 LaPlace Court, Suite 160, Carlsbad, CA 92008 to provide ambulatory electroencephalogram (EEG) services used for in-home tests in an amount not to exceed seventy-six thousand eight hundred dollars (\$76,800.00); effective April 24, 2020 through April 24, 2023.

- **Telco Construction, Inc.**, 500 Buffalo Road, East Aurora, NY 14052 related to renovations at A. J. O'Dell Foundation – Medical Center, Arcade, NY to enhance existing space and bring the clinic into compliance with current regulations and standards in an amount not to exceed one hundred eighty-three thousand nine hundred ninety-seven dollars (\$183,997.00); effective July 1, 2020 through September 30, 2020.

Contingent upon the availability of funds.

**Carried: XXX    Ayes: 1537    Noes:    Absent: 62 (Middlebury)    Abstain:    #23**

**RESOLUTION NO. 20-273  
(June 9, 2020)**

By Mr. Kehl, Chairman of the Finance Committee:

**RESOLUTION NUMBER 16-088 AMENDED**

**WHEREAS**, Resolution Number 16-088 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY HEALTH SYSTEM,**” passed by this Board of Supervisors on February 9, 2016 and provides for various contracts on behalf of the Wyoming County Community Health System, in part, as follows:

- **Dentserv Dental Services, PC**, 15 Canal Road, Pelham Manor, NY 10803 to provide dental services to the residents of the Skilled Nursing Facility in an amount not to exceed thirty-seven thousand two hundred dollars (\$37,200.00) per year; effective April 1, 2016 through May 31, 2018.

**WHEREAS**, That Resolution Number 16-088 was previously amended by this Board of Supervisors on October 9, 2018 by **Resolution Number 18-423** as follows:

- Extend the term of the contract from May 31, 2018 through **May 31, 2020**.
- In accordance with the *automatic renewal* clause, increase the contract amount in an amount not to exceed thirty-seven thousand nine hundred forty-four dollars (\$37,944.00) per year for a total contract amount of seventy-five thousand eight hundred eighty-eight dollars (\$75,888.00).

Now therefore,

**BE IT RESOLVED**, That **Resolution Number 16-088** as previously amended by **Resolution Number 18-423** be hereby further amended to extend the contract end date from May 31, 2020 **through May 31, 2022**.

All else remains the same.

**Carried: XXX    Ayes: 1537    Noes:    Absent: 62 (Middlebury)    Abstain:**

**RESOLUTION NO. 20-274  
(June 9, 2020)**

By Mr. Kehl, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-166 AMENDED**

**WHEREAS**, Resolution Number 17-166 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**” passed by this Board of Supervisors on March 14, 2017 and provides, in part, for the following contract:

- *J. Joseph Lanigan, M.D. PLLC*, Girdle Road, East Aurora, NY 14052 to provide cardiologist physician services in non-invasive cardiology medicine at WCCHS clinic, inpatient and on-call services in an amount not to exceed three hundred five thousand dollars (\$305,000.00) per year (\$225,000.00 per year for professional services and \$80,000.00 per year for office operations and staff); effective March 1, 2017 through February 28, 2019.

And,

**WHEREAS**, That Resolution Number 17-166 was previously amended by this Board of Supervisors on February 12, 2019 by *Resolution Number 19-088* to extend the contract expiration date through *February 29, 2020*; and

**WHEREAS**, That Resolution Number 17-166 as previously amended by Resolution Number 19-088 was further amended by this Board of Supervisors on June 11, 2019 by *Resolution Number 19-280* as follows; effective May 1, 2019 through February 29, 2020:

- *Increase compensation to an amount not to exceed three hundred fifteen dollars (\$315,000.00) per year:*
  - *\$225,000.00 per year for professional services*
  - *\$90,000.00 per year for office operations and staff*

And,

**WHEREAS**, That Resolution Number 17-166 as previously amended by Resolution Number 19-088 and Resolution Number 19-280 was further amended by this Board of Supervisors on February 11, 2020 by *Resolution Number 20-102* to extend the contract end date through *April 30, 2020*; now therefore,

**BE IT RESOLVED**, That *Resolution Number 17-166* as previously amended by *Resolution Number 19-088*, *Resolution Number 19-280* and *Resolution Number 20-102* be hereby further amended to extend the contract end date through *December 31, 2020*.

All else remains the same.

**Carried:** XXX    **Ayes:** 1537    **Noes:**    **Absent:** 62 (Middlebury)    **Abstain:**

**RESOLUTION NO. 20-275  
(June 9, 2020)**

By Mr. Kehl, Chairman of the Finance Committee:

**RESOLUTION NUMBER 20-103 AMENDED**

**WHEREAS**, Resolution Number 20-103 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY HEALTH SYSTEM,**” passed by this Board of Supervisors on February 11, 2020 and provides for various contracts on behalf of the Wyoming County Community Health System, in part, as follows:

- *Leonard G. Meggs, MD, FAHA, FASN*, 2741 Clover Street, Pittsford, NY 14534 for a Nephrology Physician Provider position in an amount not to exceed three hundred fifty thousand dollars (\$350,000.00) per year.

Now therefore,

**BE IT RESOLVED**, That *Resolution Number 20-103* be hereby amended to rescind the above contract with *Leonard G. Meggs, MD, FAHA, FASN*, in its entirety effective February 11, 2020 as it has not been executed or used.

All else remains the same.

**Carried:** XXX    **Ayes:** 1537    **Noes:**    **Absent:** 62 (Middlebury)    **Abstain:**

**RESOLUTION NO. 20-276  
(June 9, 2020)**

By Mr. Kehl, Chairman of the Finance Committee:

**SALARY SCHEDULES “C”, “X” AND “G” AMENDED**

**BE IT RESOLVED**, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

**Salary Schedule “C”:**

*Wyoming County Community Health System*

- Abolish one (1) position of *Interim Revenue Cycle/Business Officer Manager* (position code 01.626.498) under PATIENT ACCOUNTS; effective March 8, 2020.

**Salary Schedule “X”:**

*Wyoming County Community Health System*

- Abolish one (1) position of *Medical Receptionist* (position code 12.191.153) under WYOMING COUNTY FAMILY MEDICINE – ARCADE; effective March 26, 2020.

- Abolish one (1) position of **Medical Receptionist** (position code 12.190) under WYOMING COUNTY FAMILY MEDICINE – ARCADE; effective May 26, 2020.

**Salary Schedule “G”:**

***Public Defender***

- Restore the stipend of \$10,000.00 for the **Investigator** (position code 007.514) under the CAFA grant (Round 2); effective May 12, 2020 through June 30, 2020.
- Correct the stipend established by the Board of Supervisors on May 12, 2020 by Res. #20-231 for the **Assistant Public Defender (5<sup>th</sup>)** (position code 010.503) in the amount of \$10,000.00 under the CAFA grant (Round 2) to \$5,000.00; effective April 4, 2020 through the medical leave of absence of the Investigator (position code 007.514).
- Set stipends plus corresponding fringes provided through ILS Distribution #10 Grant (*Contract No. C100056*):
  - **Public Defender** \$2,325.00
  - **Assistant Public Defender (1<sup>st</sup>)** \$2,235.00
  - **Assistant Public Defender (3<sup>rd</sup>)** \$2,235.00
  - **Assistant Public Defender (4<sup>th</sup>)** \$4,855.00
  - **Secretary to the Public Defender (PT)** \$1,395.00
  - **Secretary I** \$720.00
    - Said amounts to be paid bi-weekly and retroactive to January 1, 2020 through December 31, 2022.

**Carried:** XXX    **Ayes:** 1537    **Noes:**    **Absent:** 62 (Middlebury)    **Abstain:** #27

**RESOLUTION NO. 20-277  
(June 9, 2020)**

By Mr. Kehl, Chairman of the Finance Committee:

**SEMI-ANNUAL REVENUE SHARING FOR THE TOWNS**

**BE IT RESOLVED**, That the Chairman of the Finance Committee, presented the Semi-Annual Revenue Sharing Report for the period **of October 1, 2019 through March 31, 2020** and moved that the Clerk draw warrants on the County Treasurer for the various amounts therein.

**To:** Cheryl D. Mayer, County Treasurer of Wyoming County, New York:  
You are hereby authorized and directed to distribute the Semi-Annual Revenue Sharing amounts totaling **\$37,588.97 (thirty-seven thousand five hundred eighty-eight dollars and ninety-seven cents)** to the sixteen towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

<b>TOWNS</b>	<b>REVENUE SHARING DISTRIBUTED</b>
Arcade	\$3,876.49
Attica	\$2,526.46
Bennington	\$5,508.39
Castile	\$3,551.99
Covington	\$1,238.62
Eagle	\$1,224.31
Gainesville	\$653.89
Genesee Falls	\$45.42
Java	\$3,290.07
Middlebury	\$606.03
Orangeville	\$1,754.05
Perry	\$4,053.94
Pike	\$570.79
Sheldon	\$3,444.61
Warsaw	\$4,840.94
Wethersfield	\$402.97
<b>Grand Totals:</b>	<b>\$37,588.97</b>

Let this be your Warrant for Such Payment: **\$37,588.97** (*thirty-seven thousand five hundred eighty-eight dollars and ninety-seven cents*). **IN WITNESS WHEREOF**, I have hereunto set my hand and seal of the Board of Supervisors this 9<sup>th</sup> day of June, 2020.

*s/Cheryl J. Ketchum*, Clerk,  
Board of Supervisors

**Carried:** XXX    **Ayes:** 1537    **Noes:**    **Absent:** 62 (Middlebury)    **Abstain:**

**#28**

**RESOLUTION NO. 20-278  
(June 09, 2020)**

By Mr. Kehl, Chairman of the Finance Committee:

**STANDARD WORK DAY AND REPORTING RESOLUTION**

**WHEREAS**, Regulation number 315.4 of the New York State Office of the State Comptroller became effective on August 12, 2009. This regulation more clearly defines the process of reporting elected and appointed officials and adds additional requirements for both employers and officials. Among the requirements for employers are a more detailed Standard Work Day and Reporting Resolution, submission of the resolution to the Retirement System and certification that the resolution was publicly posted; now therefore

**BE IT RESOLVED**, That the County of Wyoming hereby establishes the following as standard work days for elected and appointed officials whose term begins on or after August 12, 2009 and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this Board:

Title	Standard Work Day (Hrs/day)	Name	Social Security Number (Last 4 digits)	NYS Retirement Reg. #	Tier 1 (Check only if member is in Tier 1)	Term Begins/Ends	Record of Activities Result*	Not Submitted (Check only if Official did not submit their Record of Activities)
<b>Elected Officials</b>								
Supervisor	6	KEHL, Bryan	XXXX	XXXXXXXXXX		01/01/20-12/31/21	4.69	
Supervisor	6	ROBERTS, LuAnne	XXXX	XXXXXXXXXX		01/01/20-12/31/21	7.61	
Supervisor	6	KING, Sandra	XXXX	XXXXXXXXXX		01/01/20-12/31/21	2.81	
Supervisor	6	BECKER, Brian	XXXX	XXXXXXXXXX		01/01/20-12/31/23	6.67	
Supervisor	6	JACOBY, Ronald	XXXX	XXXXXXXXXX		01/01/20-12/31/20	4.06	
Public Defender	6	EFFMAN, Norman	XXXX	XXXXXXXXXX		01/01/20-12/31/21	19.22	
Coroner	6	WILLIAMS, Neil	XXXX	XXXXXXXXXX		01/01/20-12/31/23	5.542	
Coroner	6	HILL, Renee	XXXX	XXXXXXXXXX		01/01/20-12/31/23	5.44	

**Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:**

**#29**

**RESOLUTION NO. 20-279  
(June 9, 2020)**

By Mr. Kehl, Chairman of the Finance Committee:

**POSITION(S) APPROVED**

**BE IT RESOLVED**, That the following positions are hereby created, amended, extended modified, reassigned, abolished and/or reclassified in the following Wyoming County Departments:

**CREATED:**

***Social Services***

- One (1) position of *Caseworker Trainee* (1.0 FTE) on CSEA Schedule A, Job Grade 12 at \$20.20/hr.-\$23.14/hr.; position available date is June 10, 2020.

**Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:**

*Chairman Davis, T/Covington asked if any Supervisor opposed to the presentation of unanimous consent resolution #30. Hearing none, the resolution title was read.*

***Unanimous Consent  
#30***

**RESOLUTION NO. 20-280  
(June 9, 2020)**

By Mr. Davis, Chairman of the Committee of the Whole:

**RESOLUTION CALLING ON THE STATE OF NEW YORK TO RELEASE  
ENHANCED FEDERAL MEDICAID MATCHING FUNDS TO COUNTIES AND  
NEW YORK CITY**

**WHEREAS**, In response to the COVID-19 pandemic, Congress has enacted extraordinary measures to help states and localities with increased costs and lost revenue; and

**WHEREAS**, A key action enacted by the federal government was a 6.2 percent increase in the federal medical assistance percentage (FMAP); and

**WHEREAS**, Congress has used this mechanism to provide fiscal relief to states and their local government Medicaid funding partners to reduce the financial burden they often experience in an economic downturn; and

**WHEREAS**, We understand the State of New York has already drawn down about \$2.5 billion for the period January 1, 2020 through June 30, 2020; and

**WHEREAS**, Under federal law a portion of these funds are required to be passed through to counties and New York City; and

**WHEREAS**, The New York State Association of Counties estimates the local share to be about 20 percent; and

**WHEREAS**, Counties and New York City are struggling with higher costs associated with responding to COVID-19 and experiencing extensive revenue declines due to the shutdown of large swaths of the economy; and

**WHEREAS**, In addition to mounting losses in local revenues, counties are also expecting significant cuts in state aid; and

**WHEREAS**, Many counties have enacted plans to reduce non-mandated expenses to the degree they can without sacrificing public health and safety; and

**WHEREAS**, These expense reductions also require a review of the workforce, including layoffs; and

**WHEREAS,** It is projected that each quarter of enhanced FMAP funding is worth hundreds of millions of dollars for counties and New York City; and

**WHEREAS,** New York State has been holding three years of similar enhanced FMAP payments owed to counties and New York City under the Affordable Care Act that are worth hundreds of millions of dollars; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors, is requesting that New York State immediately release the first quarter of enhanced Medicaid federal matching funds for the pandemic response to the County of Wyoming to provide some partial fiscal relief to the current conditions; and be it

**FURTHER RESOLVED,** The Board requests that New York State provide a timeline to all counties on the release of the enhanced federal Medicaid matching funds related to the Affordable Care Act that have been withheld for years and the likely mechanism on how these funds will be delivered to counties and New York City; and be it

**FURTHER RESOLVED,** The Board of Supervisors understands the State is experiencing severe fiscal stress, as well, and we want to work cooperatively with New York State to develop a plan on the release of the withheld federal enhanced Medicaid funds due to counties under the Affordable Care Act and future pandemic FMAP increased funding; and be it

**FURTHER RESOLVED,** That this resolution be sent to Governor Andrew M. Cuomo, the New York State Legislature, the New York State Congressional Delegation, the New York State Association of Counties, and all others deemed necessary and appropriate.

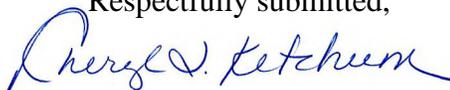
**Carried: XXX    Ayes: 1537    Noes:    Absent: 62 (Middlebury)    Abstain:**

*Chairman Davis offered that this is federal money sent to New York State and designated for both the state and counties to share which has not happened yet. The Chairman further stated there are three other years the state did not share the money and this resolution is simply asking for the money that is owed to all New York State counties.*

*There being no further business to come before this Board, Senior Supervisor Berwanger, T/Arcade, adjourned the meeting at 3:12 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,



Cheryl J. Ketchum, <sup>CMC</sup>  
Clerk to the Board

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